

CERTIFIED FOR PARTIAL PUBLICATION  
IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT  
DIVISION SIX

JACQUELINE D. EDDY, as Trustee, etc.

Plaintiff and Respondent,

v.

WILLIAM E. FIELDS,

Defendant and Appellant.

2d Civil No. B167817  
(Super. Ct. No. PR26331)  
(San Luis Obispo County)

ORDER MODIFYING OPINION AND  
DENYING REHEARING  
[NO CHANGE IN JUDGMENT]

THE COURT

It is ordered that the opinion filed herein on September 2, 2004, be modified as follows:

1. On page 1, in the caption portion of the opinion, "(Santa Barbara County)" is changed to "(San Luis Obispo County)."
2. On page 10, the third full paragraph, beginning "Appellant indicates in his opening brief," is deleted and the following paragraph is inserted in its place:

Appellant has advised this court that he has already received \$126,685 in fees, presumably from Doris and Bernice while they were still acting as trustees. He also states that he is seeking another \$153,710 in fees that have not yet been paid. His contract for the legal work performed was not in writing. We express no opinion as to the actual amount of fees already

paid, whether the trust can recover those fees already paid, or whether appellant might have a claim against Doris and Bernice personally under the terms of their oral contract for legal services.]]

There is no change in judgment.

Appellant's petition for rehearing is denied.